

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

DOUGLAS COX,

Plaintiff,

v.

DEPARTMENT OF JUSTICE, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)
)

Case No. 1:17-cv-3329
RRM-RLM

JOINT STATUS REPORT

Pursuant to the Order dated September 11, 2017, the parties hereby submit this status report.

As previously reported, Plaintiff brought this action under the Freedom of Information Act seeking production of certain documents. The parties disagree about whether certain elements of the request seek records subject to FOIA and currently expect to ultimately brief that issue at summary judgment. The parties have agreed that it would likely be most efficient to complete processing of the remainder of the request prior to litigating the status of such documents.

In a Joint Status Report dated September 8, 2017, Defendants DOD, DOJ, FBI, ODNI reported that they expect to complete processing and produce responsive, non-exempt documents subject to FOIA on or before December 22, 2017, but that Defendant Department of State was still in the process of conducting its searches.

By Order dated September 11, 2017, the Court directed the State Department to file a report by October 6, 2017, estimating the total time for processing Plaintiff's FOIA request, and

directing all parties to file a joint status report and proposal schedule for further proceedings on or before January 12, 2018.

The Department of State reports that its review of voluminous documents potentially responsive to Plaintiff's FOIA request is ongoing. State is currently exploring options to increase its FOIA processing capabilities and will make best efforts to complete its processing of documents and produce responsive, non-exempt records subject to FOIA on or before December 22, 2017.

The Parties propose that they advise the court of the status of State's processing in the joint status report scheduled for January 12, 2018.

Dated: October 6, 2017

/s/ Douglas Cox

Douglas Cox

City University of New York School of Law

2 Court Square

Long Island City, NY 11101

(718) 340-4241

douglas.cox@law.cuny.edu

Plaintiff

Respectfully Submitted,

CHAD READLER

Acting Assistant Attorney General

ELIZABETH J. SHAPIRO

Deputy Director, Federal Programs Branch

/s/ Amy E. Powell

AMY E. POWELL

Trial Attorney, Federal Programs Branch

Civil Division, Department of Justice

310 New Bern Avenue, Suite 800

Federal Building

Raleigh, NC 27601-1461

Phone: 919-856-4013

Email: amy.powell@usdoj.gov

For Defendants